

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of April 4, 2008 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claim Rejections – 35 USC §§ 102 & 103

In the Office Action, Claims 1-4, 8, 10-14, 18, and 20-25 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,691,162 to Wick (hereinafter Wick). Claims 5 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wick in view of U.S. Patent 6,430,604 to Ogle, *et al.* (hereinafter Ogle).

Although Applicants respectfully disagree with the rejections, Applicants have amended the claims so as to expedite prosecution of the present application by emphasizing certain aspects of the invention. However, such amendments should not be interpreted as the surrender of any subject matter, and Applicants expressly reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 11, and 21 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments. Independent Claims 22-23 have been cancelled to facilitate prosecution.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by amended Claim 1, is an instant messaging method.

The method can include displaying a user selectable list of subscribers of an instant messaging service; selecting a group of subscribers in an inactive state from the list; designating at least one action associated with the group, the at least one designated action to be automatically performed to each subscriber in the group in response to a state change; automatically detecting a state change of at least one of the subscribers in the group; and automatically executing the designated action associated with the group for the at least one subscriber responsive to said detecting step. See, e.g., Specification, paragraph [0022].

The Claims Define Over The Prior Art

Wick discloses a method of monitoring of a targeted user in a computer network. Upon detecting that the targeted user is available, an instant message specified by a targeting user can be automatically sent to the targeted user, the targeting user can receive a notification that the targeted user has signed on, or a predefined operation specified by the targeting user (e.g., operating system command, script or executable file) can be performed.

However, Wick does not disclose selecting a group of inactive subscribers in an inactive state and designating at least one action that can be applied to each inactive subscriber within the group, as recited in independent Claims 1, 11, and 21. For example, if the action "Establish IM connection" 142 is selected for the group of Team 3, an IM session can be automatically initiated with each member of Team 3, as the members become available for communication (see Specification, paragraph [0022]; see also Fig. 1). In Wick, the "pouncer" or "targeting user" has to set up a "pounce" (one or more specified actions) for each "pouncee" or "targeted user" individually. Wick does not disclose or suggest anywhere that a "pounce" can be set up for a group of "pouncees" or "targeted users."

The other cited references do not make up for the deficiencies of Wick.

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1, 11, and 21, as amended. Applicants therefore respectfully submit that amended Claims 1, 11, and 21 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1 or 11 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claim rejections under 35 U.S.C. §§ 102 & 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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